

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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MALIBU TEXTILES, INC.,

Index No.: 07cv4780 (SAS)

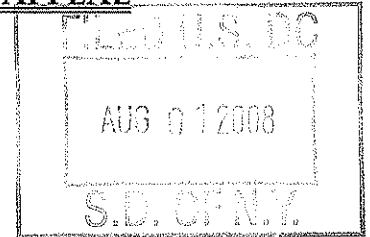
Plaintiff,

-against-

CAROL ANDERSON, INC., CABI, LLC,
PINK VAN ENTERPRISES, LLC AND
CAROL ANDERSON,

Defendants.
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NOTICE OF APPEAL



Notice is hereby given that CAROL ANDERSON, INC., CABI, LLC, PINK VAN ENTERPRISES, LLC and CAROL ANDERSON, Defendants in the above captioned matter (the "Defendants"), hereby appeals to the United States Court of Appeals for the Second Circuit the Opinion and Order of Justice Shira A. Scheindlin, United States District Judge, granting Plaintiff, Malibu Textiles, Inc.'s motion for partial summary judgment as to liability for copyright infringement against Defendants, entered in this action on the 8th day of July, 2008.

Dated: July 31, 2008
New York, New York

LAZARUS & LAZARUS, P.C.
Attorneys for Defendants,

By: _____

HARLAN M. LAZARUS (HML-0268)
240 Madison Avenue, 8th Floor
New York, New York 10016
Tel. (212) 889.7400
Fax. (212) 684.0314

To: COWAN, DEBAETS, ABRAHAMS & SHEPPARD LLP.

Attorneys for Plaintiff

41 Madison Avenue, 34th Floor

New York City, New York 10010

Attention: NANCY E. WOLFF, ESQ.

MATTHEW A. KAPLAN, ESQ

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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MALIBU TEXTILES, INC.,

Index No.: 07cv4780 (SAS)

Plaintiff,

-against-

Judge Scheindlin

CAROL ANDERSON, INC., CABI, LLC,
PINK VAN ENTERPRISES, LLC AND
CAROL ANDERSON,

Defendants.

-----X
STATE OF NEW YORK)

)SS.:

COUNTY OF NEW YORK)

Carissa A. Schumacher, being duly sworn, deposes and says:

I am not a party to this action, I am over the age of 18 years and I reside in Hudson County, New Jersey.

On August 1, 2008, I delivered by hand delivery true copies of the following document(s): **DEFENDANTS' NOTICE OF APPEAL**; enclosed in a sealed wrapper for delivery, addressed to the following:

COWAN, DEBAETS, ABRAHAM & SHEPPARD, LLP

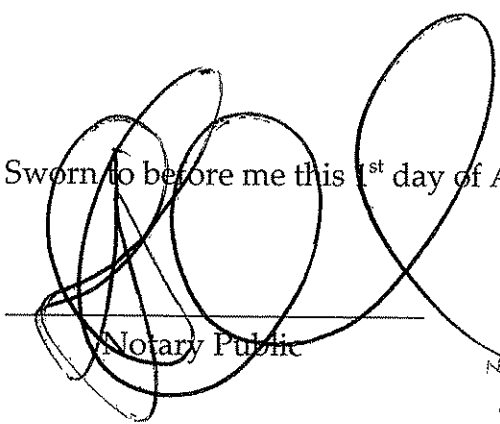
41 Madison Avenue, 34th Floor

New York, New York 10010

Attention: MATTHEW A. KAPLAN


CARISSA A. SCHUMACHER

Sworn to before me this 1st day of August, 2008.


Notary Public

HARLAN M. LAZARUS
Notary Public, State of New York
No. 31-4723982
Qualified in New York County
Commission Expires February 28, 2011